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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 JAMES FISHER,

9 Plaintiff,

10 v.

11 LEONARD CARVER, et al.,

12 Defendants.

CASE NO. C14-5200 BHS

ORDER DENYING PLAINTIFF'S
MOTION TO PROCEED *IN
FORMA PAUPERIS* AND
DISMISSING COMPLAINT
WITH PREJUDICE

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14 This matter comes before the Court on Plaintiff James Fisher's ("Fisher") motion
15 to proceed *in forma pauperis* (Dkt. 1) and proposed complaint (*id.* Exh. 1).

16 On March 10, 2014, Fisher filed the instant motion and proposed complaint. Dkt.
17 1. On November 14, 2011, Fisher filed the identical complaint (Case No. 11-5931BHS,
18 Dkt. 1), and the Court dismissed the claims as time barred (*id.*, Dkt. 38) and with
19 prejudice for failure to respond to an order of the Court (*id.*, Dkt. 41). Therefore, the
20 Court finds that the instant complaint is frivolous, **DENIES** Fisher's motion to proceed *in*
21 *forma pauperis*, and **DISMISSES** the complaint **with prejudice**. If any further

1 documents are filed in this case, the Clerk shall post them to the electronic docket for
2 record purposes without further intervention of the Court.

3 Dated this 11th day of March, 2014.

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6 BENJAMIN H. SETTLE
7 United States District Judge
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